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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

13 UNITED STATES OF AMERICA,) No. CR 08-00402 RMW
14 Plaintiff,) STIPULATION TO CONTINUE
15 v.) DATE FOR SENTENCING;
16 KEVIN VO,) ORDER []
17 Defendant.) Date: 13, 2010
18) Time: 9:00 a.m.
19) Before The Honorable Ronald M. Whyte

The parties jointly ask the Court to continue Kevin Vo's sentencing from its currently scheduled date of December 13, 2010, to **Monday, March 7, 2011**, at 9:00 a.m. The reasons are (1) that the remaining defendants have now pleaded guilty and are scheduled to be sentenced on that same date, and (2) the government intends to file a motion for a sentencing departure for Kevin Vo under U.S.S.G. § 5K1.1. The parties believe that it would be appropriate to have the cooperating defendant be sentenced last, as is customary, and that it would be more convenient to the Court to sentence all six defendants together.

27 The undersigned Assistant United States Attorney has left a message for Waseem Iqbal, the
28 United States Probation Officer assigned to the case, and has no reason to believe that the requested

REQUEST TO CONTINUE SENTENCING

1 date will present a problem for him or for his office. If it turns out that there is a problem with it,
2 the parties will be happy to adjust the schedule to accommodate USPO Iqbal.

3 IT IS SO STIPULATED:

4 DATED: December 9, 2010

MELINDA HAAG
United States Attorney

5 / s /

6 DAVID R. CALLAWAY
7 Assistant United States Attorney
Counsel for United States

8 DATED: December 9, 2010

9 / s /

10 ALLEN H. SCHWARTZ, ESQ.
Counsel for Defendant Kevin Vo

13 **ORDER**

14 For the reasons set forth above, and good cause appearing,

15 IT IS HEREBY ORDERED that sentencing for the captioned defendant, currently
16 scheduled to occur on December 13, 2010, is continued to **Monday, March 7, 2011, at 9:00**
17 a.m., before The Honorable Ronald M. Whyte, United States District Judge.

18 Date: 12/10/10

19 
RONALD M. WHYTE
United States District Judge